

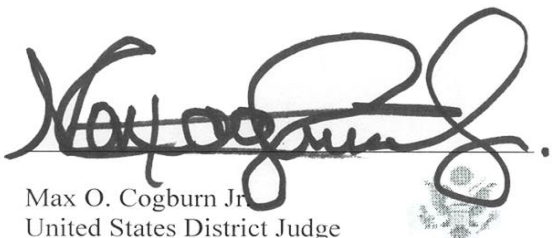
allowed, which bears on factor six. Finally, the court notes that defendant has requested and been allowed appointment of new counsel on two occasions and is now in the process of having a third attorney appointed. Nothing in this court's record indicates that counsel was anything less than competent, which bears on factor four.

In any event, the court will deem the letter to be a Motion to Withdraw Plea and refer such request to the magistrate judge for determination as the magistrate judge has closely followed the development of this case, taken the plea, and heard defendant's previous motions for appointment of new counsel.

ORDER

IT IS, THEREFORE, ORDERED that defendant's letter (#169) is **DEEMED** to be a Motion to Withdraw Plea and is referred to Judge Cayer for hearing.

Signed: November 18, 2016



Max O. Cogburn Jr.
United States District Judge